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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,060	12/27/2001	David L. Edwards	M12C1FDF3D2	3311

23557 7590 11/06/2002

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EXAMINER

KUBELIK, ANNE R

ART UNIT

PAPER NUMBER

1638

DATE MAILED: 11/06/2002

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1638

1. The reply filed on 7 October, 2002, is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The amendments to the specification are made incorrectly.

Applicant should amend the specification by presenting individual replacement paragraphs, together with instructions as to the paragraph to be replaced, as well as a marked-up copy of the paragraph showing the changes. See 37 CFR 1.121. The reply of 07 October 2002 lacks the clean and marked-up copies of the individual replacement paragraphs. Additionally, SEQ ID NOs for the sequences in the figures should be in the Figure legend. In the figures as presented, it is not clear, for example, if SEQ ID NO:4 refers only to the sequence shown in Fig. 7A or if it refers to the sequence shown in both 7A and 7B.

2. The amendment filed 7 October, 2002, is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material that is not supported by the original disclosure is as follows: Figures 1-4. The specification as originally filed does not contain representations of plasmids pEW1-4.

Applicant is required to cancel the new matter in the reply to this Office Action.

3. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Art Unit: 1638

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne R. Kubelik, whose telephone number is (703) 308-5059. The examiner can normally be reached Monday through Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson, can be reached at (703) 306-3218. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9307 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

Anne R. Kubelik, Ph.D.  
October 28, 2002

A handwritten signature in cursive script, appearing to read "Amy Nelson".

AMY J. NELSON, PH.D  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1800